

Governor's Executive Orders/Proclamations

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** NURSE PRACTITIONER WEEK ***

[M12-436]

WHEREAS, there are more than 140,000 licensed Nurse Practitioners (NPs) in the United States with 4,156 Registered Nurse Practitioners in Arizona providing high-quality, cost-effective, comprehensive, patient-centered, personalized health-care; and

WHEREAS, NPs have been providing healthcare in the United States since 1965, with more than 9,000 NPs graduating from Nurse Practitioner programs in 2011; and

WHEREAS, NPs are graduates of master's, post-master's or doctoral NP programs with advanced clinical preparation to provide primary, acute and chronic care to patients of all ages and walks of life; and

WHEREAS, NPs diagnose acute and chronic conditions, prescribe medications and other treatments, treat illnesses and counsel patients on healthcare issues; and

WHEREAS, the high level of satisfaction and confidence that patients have in NPs is evidenced by the approximate 600 million visits that are made to NPs each year; and

WHEREAS, more than 20 percent of NPs practice in rural settings with populations of less than 25,000, and of the 62 percent who work in cities with populations of more than 50,000, more than 39 percent work in inner-city areas; and

WHEREAS, NPs provide healthcare to people of all ages and in diverse healthcare settings such as private office practice, hospitals, long-term care facilities, schools, retail clinics, state and local health departments, and managed care facilities.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 11 – 18, 2012 as

*** NURSE PRACTITIONER WEEK ***

and recognize the many contributions this dedicated group of healthcare professionals make to the health and well-being of the people in the communities they service in this great State of Arizona and throughout the country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-second day of October in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

ATTEST:
Ken Bennett
Secretary of State

*** RADIOLOGIC TECHNOLOGY WEEK ***

[M12-439]

WHEREAS, the health of our citizens is a major concern and responsibility of health care professionals serving the citizens of Arizona; and

WHEREAS, qualified practitioners who specialize in the use of medical radiation and imaging technology to aid in the diagnosis and treatment of disease share a commitment to bring the people of this community a safer, more compassionate environment now and in the future; and

WHEREAS, professionals in the radiologic sciences are dedicated to the highest standard of professionalism and continually maintain those standards through education, lifelong learning, credentialing and personal commitment; and

WHEREAS, November 4th through 10th has been declared National Radiologic Technology Week to focus on the safe medical radiation environment provided through the skilled and conscientious efforts of radiologic technologists.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 4 – 10, 2012 as

*** RADIOLOGIC TECHNOLOGY WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-second day of October in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

ATTEST:
Ken Bennett
Secretary of State

*** RETT SYNDROME AWARENESS MONTH ***

[M12-420]

WHEREAS, Rett Syndrome is a devastating neurodevelopmental disorder caused by a mutation of the MECP2 gene that mainly affects females; and

WHEREAS, every two hours in the world, a girl is born with Rett Syndrome, but its symptoms usually do not appear until the child is 6 to 18 months of age; and

WHEREAS, this disorder affects families worldwide and does not discriminate as to race, color or creed, and it has no boundaries; and

WHEREAS, girls are generally born healthy, then they begin to show signs of regression such as losing their ability to speak (hence the name "Silent Angles") and walk; performing basic motor skills; and developing seizures and scoliosis; and

WHEREAS, apraxia is one of the symptoms, where there is an inability to carry out purposeful movement; and

WHEREAS, dedicated scientists and researchers from around the United States, as well as the world, are working hard to find treatments now in advance to finding a cure, and are on the brink of finding suitable treatments to help with certain symptoms of this disorder; and

WHEREAS, public awareness of Rett Syndrome is extended to the medical community, therapists, teachers, caregivers, and the general public, and will continue until there is a world with no Rett.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 2012 as

*** RETT SYNDROME AWARENESS MONTH ***

Governor's Executive Orders/Proclamations

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-seventh day of September in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

ATTEST:
Ken Bennett
Secretary of State

*** THEATRE IN OUR SCHOOLS MONTH ***

[M12-430]

WHEREAS, theatre plays an important role in the education of our youth and it opens the doors for creativity, inviting young people to view an expanded world of ideas; and

WHEREAS, theatre teaches problem solving, critical thinking and has the ability to demonstrate valuable lessons in humanity and portrays universal concepts and struggles such as poverty, prejudice, isolation, honor, and love; and

WHEREAS, thespians promote advocacy of the performing arts and develops strong communities, which is vital in teaching and training our youth; and

WHEREAS, theater aids in creating the leaders of tomorrow through the educational and theatrical experiences; and

WHEREAS, teachers can offer classroom variety through creative drama and role playing projects for their students, helping children gain confidence and improve self-esteem when confronted with dramatized stories and experiences.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 2012 as

*** THEATRE IN OUR SCHOOLS MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this tenth day of October in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

ATTEST:
Ken Bennett
Secretary of State

*** YOUTH SPORTS WEEK ***

[M12-434]

WHEREAS, student athletes ages 12-18 need to be encouraged to stay in school, lead healthy lifestyles, and be financially responsible; and

WHEREAS, Arizona has a coalition of private, non-profit, academic, and governmental institutions who believe that today's student athletes are tomorrow's community leaders; and

WHEREAS, adults, organizations, and students involved in sports, who are making significant contributions to community service should be recognized; and

WHEREAS, it is important to provide educational workshops on careers, scholarships, healthy lifestyles, and personal

financial management, as well as sports clinics, to youth from throughout Arizona; and

WHEREAS, the Community Leadership Awards will be held November 4, 2012 at Grand Canyon University, serving as the official kick-off to a week celebrating youth sports in Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 4 – 10, 2012 as

*** YOUTH SPORTS WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-fourth day of October in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2012-03

State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014, as a notice to the public regarding state agencies' rulemaking activities.

[M12-226]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

WHEREAS, this rule making review and moratorium process has continued by session law or executive order to this day; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

WHEREAS, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

WHEREAS, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

WHEREAS, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

WHEREAS, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2012.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

Governor's Executive Orders/Proclamations

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person," "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
9. This Executive Order expires on December 31, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State